

**Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 3-5, 11, 12, 16 and 17 have been amended. No Claims have been canceled. Therefore, claims 1-20 are now presented for examination.

**35 U.S.C. §112 Rejection,**

The Examiner has rejected claims 3-5, 11, 12, 16 and 17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejected claims are amended as suggested by the Examiner. Applicants respectfully submit that the use of the definite or indefinite article with "time" appears to be a matter of taste within the Examining Corps. Many other Examiners maintain that a "time" is an inherent property of an event. Applicants do not believe that the scope of the claims is in any way affected by these amendments.

**35 U.S.C. §103 Rejection,*****Kubo in view of Grimwood***

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Kubo et al., U.S. Patent No. 6,832,326 ("Kubo") in view of Grimwood, U.S. Patent No. 6,243,369 ("Grimwood").

In brief, Grimwood 1) does not suggest performing operations using processor tick counter values and 2) is not within the scope of the prior art that would be considered by a person of average skill in the art of the present application.

As to the first point, the first mention of any tick counter does not occur until Column 47, line 58. This is not a processor tick counter but a master clock tick counter in both the CU and RU. There is no description of this clock tick counter. It would appear to be used only to generate an offset signal 415 to the symbol counter 422 of Figure 13 that is used to determine minislot, frame, and superframe boundaries (Col. 41, lines 35 et seq.). The boundary information can be used for reception and also to ensure that uplink transmissions arrive at the CU at the proper time (Col. 41, line 52).

As to the second point, Grimwood is about establishing a reference frame and kiloframe boundary time for sending uplink SCDMA packets, so that all of the sending RU's will be synchronized together and with the receiving CU. This ensures that the uplink packets are sent at the right time (see e.g. Column 14, lines 61 to Column 15, line 21, not definition of offset at Col. 14, line 65.). Grimwood refers to ranging as the process of determining an offset 415 between the CU and RU timing. Ranging is a process of determining the difference between CU and RU. Traditionally, using the distance, the propagation delay can be determined and using the propagation delay, the timing of a transmission can be advanced to compensate for the propagation delay (time it will take the transmission to reach the receiver). Grimwood accomplishes the ranging not by measuring a physical distance but by sending a sample of the CU timestamp counter at regular intervals (Column 16, lines 8 et seq.)

On the other hand, Claim 1, for example refers to executing instructions by one processor synchronized to the timing of another processor. As explained above, Grimwood does not teach or suggest this. Grimwood synchronizes data transmission between multiple transmitters and receivers.

Clearly, Grimwood would require significant modification to be adapted into a combination with Kubo to achieve the present invention. The modifications would at least include using changing the CU and RU to processors, using processor tick counter registers instead of clock counters, determining the offset at the CU and then sending the offset to the RU, instead of the opposite approach used in Grimwood, and then using the offset for instruction execution instead of for SCDMA data communication.

Applicants respectfully submit that such a modification of Grimwood to use with Kubo simply goes too far beyond the disclosure of either reference. There is nothing in Grimwood to suggest that the techniques may be applied to the art of Kubo and the necessary modifications take Grimwood completely away from any solution or application that may have been contemplated in the reference.

Accordingly, Claim 1 is allowable over the cited combination. The other claims are believed to be allowable on similar grounds as well as for the specific express limitation set forth in each other claim, respectively.

### Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

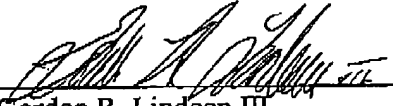
**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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